

National Marine Sanctuary of American Samoa

Sanctuary Management Areas – Allowable and Prohibited Activities

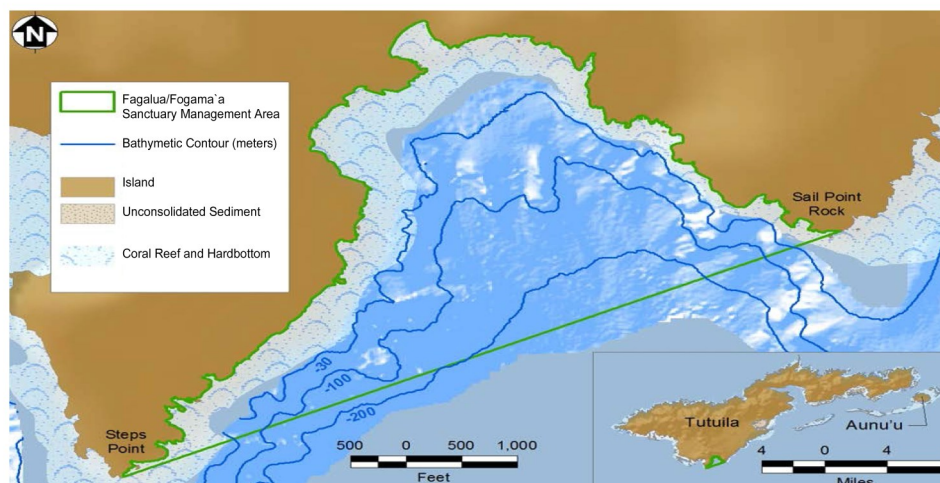
On July 26, 2012, five discrete geographical areas were added to the existing Fagatele Bay National Marine Sanctuary and the name of the sanctuary was changed to the National Marine Sanctuary of American Samoa (77 FR 43942). NOAA also amended existing sanctuary regulations and applied these regulations to activities in the expanded sanctuary. These final regulations took effect on October 15, 2012 (77 FR 65815).

This factsheet provides an overview of activities that are allowed and prohibited in the six management areas of the National Marine Sanctuary of American Samoa and Rose Atoll Marine National Monument. This factsheet also provides a summary of the general regulations applicable throughout these areas.

This is provided for informational purposes only and should not be used as a guide for ensuring legal compliance. Please refer to the applicable regulations at 15 C.F.R. Part 922, Subpart J, for the official sanctuary regulations.

Additional information can also be obtained by calling the sanctuary office at (684) 633-6500.

Fagalu/Fogama'a Management Area



Allowed – research, education, recreation, hook-and-line fishing, cast nets, spearfishing (non-SCUBA assisted), and other non-destructive fishing methods including those traditionally used for sustenance and cultural purposes such as gleaning, 'enu and ola.

This sanctuary area encompasses approximately 0.46 square miles of bay area on the southwest shore of Tutuila, just east of Fagatele Bay, from Steps Point across to Sail Rock. The importance of the relationship between this bay and the surrounding environment is comparable to Fagatele Bay, with both bays having high coral coverage, as well as many different types of coral and fish

species. Because of this similarity, this area provides a replicate habitat for increased protection, scientific research and overall increased resilience of coral reef ecosystems. Within this area, Fagalu Bay is the site of two turtle images carved in a boulder, prehistoric fale foundations and may contain buried archeological deposits.



Photo Credit: Wendy Cover, NOAA

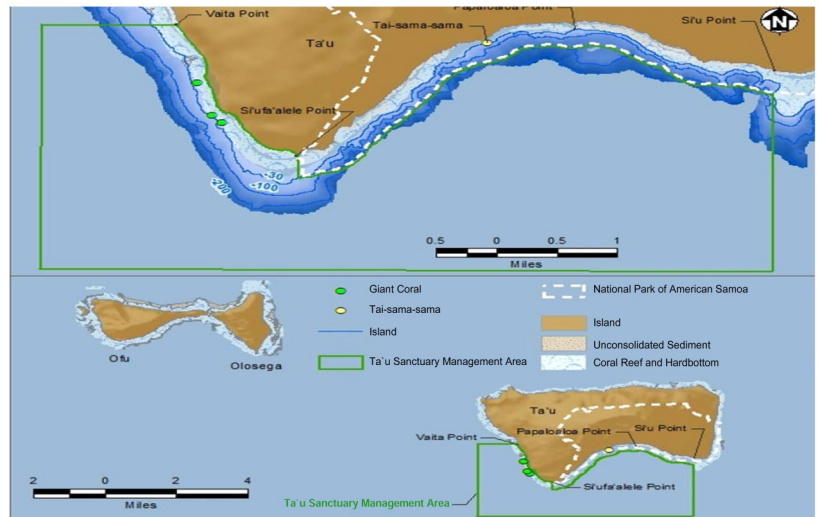
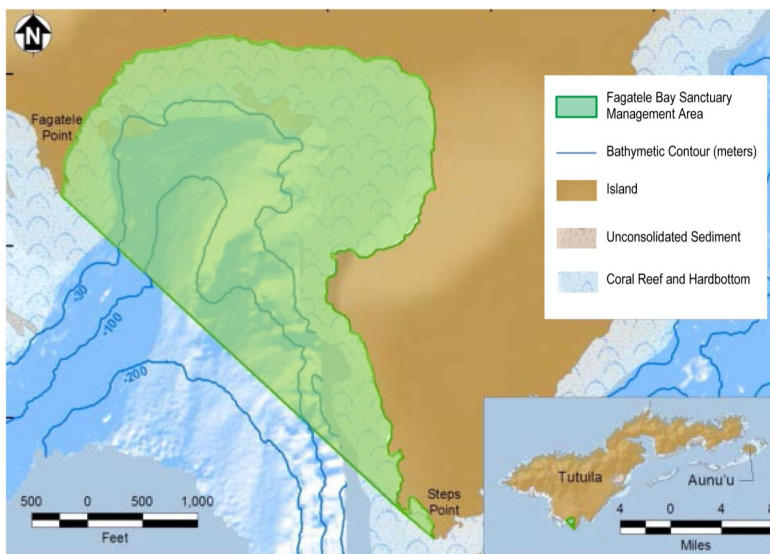
Examples of Allowable Fishing Methods	Fagatele Bay (No-Take-Area)	Aunu'u Zone A Multipurpose Area (west and south sides)	Aunu'u Zone B Research Area (east side)	Fagalu/Fogama'a	Ta'u	Swains Island	Muliava (No-Take-Area out to 12 miles from Rose Atoll)
Hook-and-line fishing		x	* Surface fishing for pelagics only (bottom fishing is NOT ALLOWED)	x	x	x	
Cast nets		x		x	x	x	
Spear fishing (non-SCUBA assisted)		x		x	x	x	
Gleaning		x		x	x	x	
'enu and ola		x		x	x	x	
Sustenance, Subsistence and Traditional		x	* Surface fishing for pelagics only (bottom fishing is NOT ALLOWED)	x	x	x	*NOAA PIRO Permit Required (808) 725-5000
Recreational		x	* Surface fishing for pelagics only (bottom fishing is NOT ALLOWED)	x	x	x	*NOAA PIRO Permit Required (808) 725-5000

Fagatele Bay Management Area

The Fagatele Bay is entirely no-take. Fishing and other extractive uses are not allowed.

Allowed – non-extractive research, education, and recreation.

Fagatele Bay contains 0.25 square miles of bay area off the southwest coast of Tutuila Island. Fagatele Bay was designated a sanctuary in 1986 to protect its extensive coral reef ecosystem. Fagatele Bay is thought to support the greatest diversity of marine life in the National Marine Sanctuary System. Based on surveys of Tutuila's coral reefs, there are 168 species of corals in Fagatele Bay that are thought to be the centerpiece of a community of more than 1,400 species of algae and other invertebrates and 271 species of fish. The cultural significance of Fagatele Bay lies in its connection to a historic coastal village that occupied its shores from prehistoric times through the 1950s.



Ta'u Management Area

Allowed – research, education, recreation, hook-and-line fishing, cast nets, spearfishing (non-SCUBA assisted) and other non-destructive fishing methods including those traditionally used for sustenance and cultural purposes such as gleaning, 'enu and ola.

Ta'u Island, part of the Manu'a Island group, is located 70 miles east of Tutuila and 6.9 miles southeast of Olosega. The Ta'u Management Area is approximately 14.6 square miles and includes both nearshore and deep waters from Si'ufa'alele Point south along the western coast, and includes deep waters beginning 0.25 miles offshore, adjacent to the nearshore waters of the National Park of American Samoa (NPAS), along the southern coast between Si'ufa'alele Point and Si'u Point. Massive Porites coral heads occur in the shallow waters just offshore of Afuli Cove along the island's southwestern coast. These huge colonies are among the oldest and largest known corals in the world.

The western side of Ta'u's southern coast is a regional hotspot for coral and fish diversity and possesses a distinct coral community. The sanctuary serves as a deep water buffer zone for the marine areas of the NPAS, as well as adding near shore and reef protection around the Porites coral heads.

§ 922.104 Prohibited or otherwise regulated activities - Sanctuary-Wide except in the Muliāva (Rose Atoll) Area. For Muliāva-specific fishing regulations see 50 CFR Part 665 (78 FR 32996) and page 4 of this fact sheet.

	Fagatele Bay (No-Take-Area)	Aunu'u Zone A Multipurpose Area (west and south sides)	Aunu'u Zone B Research Area (east side)	Fagaluā/ Fogama'a	Ta'u	Swains Island	Muliāva (No-Take-Area out to 12 miles from Rose Atoll)
(a) The following activities are prohibited through sanctuary regulations and thus are unlawful for any person to conduct or to cause to be conducted within any management area of the Sanctuary except the Muliāva Area.							
(1) Gathering, taking, breaking, cutting, damaging, destroying, or possessing any giant clam [<i>Tridacna</i> spp.], live coral, bottom formation including live rock and crustose coralline algae.	X	X	X	X	X	X	
(2) Possessing or using poisons, electrical charges, explosives, or similar environmentally destructive methods of fishing or harvesting.	X	X	X	X	X	X	
(3) Possessing or using spearguns, including such devices known as Hawaiian slings, pole spears, arbalettes, pneumatic and spring-loaded spearguns, bows and arrows, bang sticks, or any similar taking device while utilizing SCUBA equipment.	X	X	X	X	X	X	
(4) Possessing or using a seine, trammel, drift gill net, or any type of fixed net.	X	X	X	X	X	X	
(5) Disturbing the benthic community by bottom trawling.	X	X	X	X	X	X	
(b) There shall be a rebuttable presumption that any items listed in paragraph (a) of this section found in the possession of a person within the Sanctuary have been used, collected, or removed within or from the Sanctuary.	X	X	X	X	X	X	

Aunu'u Management Areas

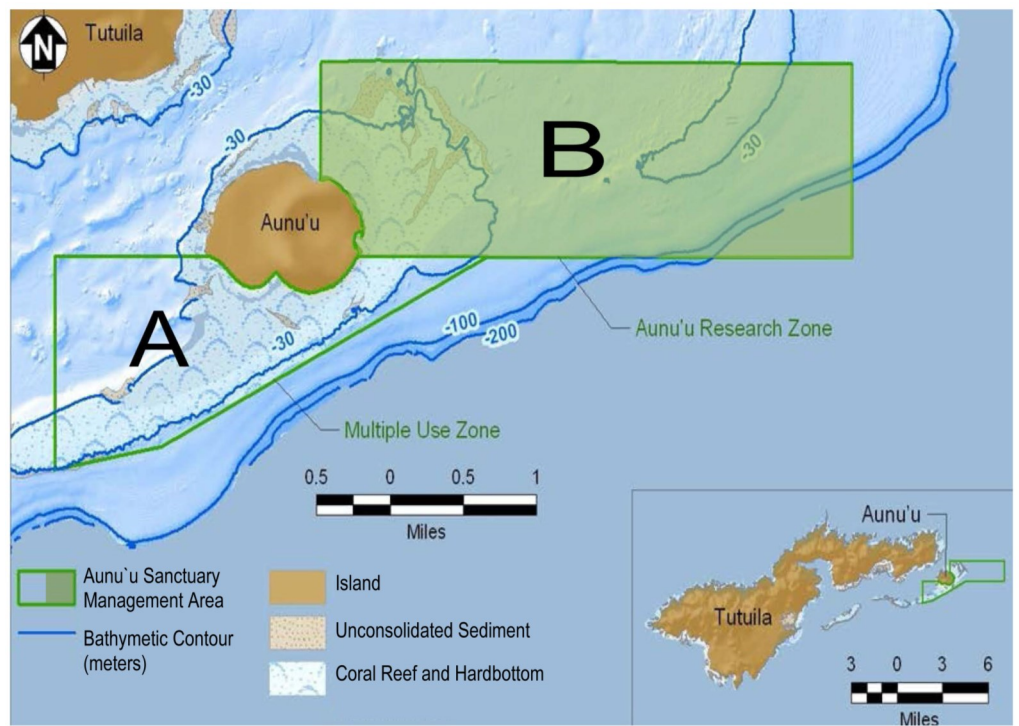
Zone A – Multiple Use Zone

Allowed – research, education and recreation. Hook-and-line fishing, casting nets, spearfishing (non-scuba assisted) and other non-destructive fishing methods including those traditionally used for sustenance and cultural purposes such as gleaning, 'enu and ola.

A notification system has been implemented to assist in managing resources in Aunu'u **Zone A**. If fishing from a vessel the Village Pulenu'u or Sanctuary Superintendent must be notified prior to each fishing trip.



Photo Credit: JP Raynor



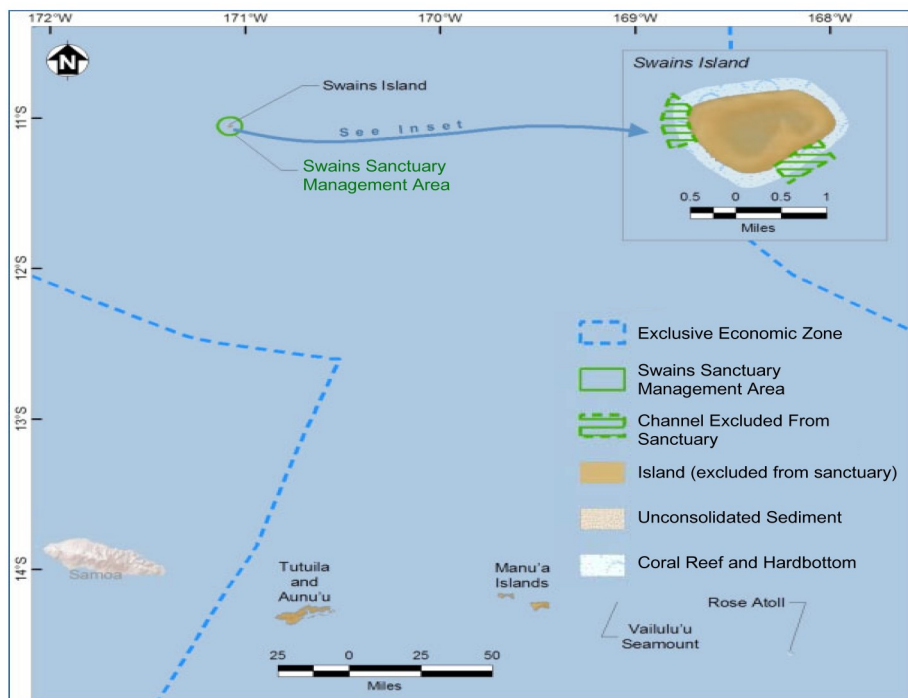
Zone B – Research Zone

Allowed – research, education, recreation and surface fishing for pelagic species – including fishing by trolling. Examples of pelagic fish include: dogtooth or white tuna, skipjack tuna, spearfish, billfish, wahoo, masimasi, rainbow runner and sailfish.

Not Allowed – fishing for bottom-dwelling species. Bottom fishing and trawling for these species is prohibited.

Aunu'u is a small, volcanic island approximately 1.2 miles southeast of Tutuila with a land area of 0.58 square miles. A total of 5.8 square miles of reef and offshore waters around Aunu'u Island have been included in the sanctuary, with 3.9 square miles designated a research zone ("Zone B") and 1.9 square miles multiple-use zone ("Zone A").

Based on limited survey data, the coral cover and number of species present is moderate as compared to American Samoa generally; however Aunu'u has been identified as having a unique fish community within American Samoa. The area surrounding Aunu'u Island consists of marine habitats of varying depth ranging from shallow water reefs to deep waters. Ceramics and potsherds indicate that people were on the island as long as 2,000 years ago, although little is known about these settlements. Aunu'u is the site of two maritime heritage resources dating back to the 1800s, though a comprehensive survey of the island has not been conducted.



Swains Management Area

Allowed – research, education, recreation, hook-and-line fishing, cast nets, spearfishing (non-SCUBA assisted) and other non-destructive fishing methods including those traditionally used for sustenance and cultural purposes such as gleaning, 'enu and ola.

Swains Island is a privately owned low-lying coral atoll located about 200 miles northwest of Tutuila. It is approximately 1.5 miles in diameter, with approximately 1 square mile of highly vegetated sand and coral with a maximum elevation of 6 feet above sea level. Swains Island has a high amount of coral cover and many different types of corals. Coral disease is low at Swains Island. Swains Island is characterized by large schools of predators, mostly barracudas, jacks and snappers. Overall, there are high amounts of large fish around Swains Island. Archeological surveys have not been conducted at Swains Island, but it likely holds prehistoric sites and buried archeological artifacts. This sanctuary area includes 52.3 square miles of territorial waters.

Muliāva Management Area

Allowed – research, education, recreation, and fishing with a permit (see below for additional information).

Rose Atoll is approximately 150 miles east of Pago Pago Harbor. It is the easternmost Samoan island and the southernmost point of the United States. One of the smallest atolls in the world, Rose Atoll consists of about 0.03 square miles of land and 2.5 square miles of lagoon surrounded by a narrow barrier reef. Rose Atoll is a distinct

environment within the archipelago. It is an area with large numbers of fish and has a unique coral community, positioned upstream in the South Equatorial Current relative to the rest of the Samoan Archipelago. Rose Atoll supports the highest densities of giant clam in the Samoan Archipelago, and is the primary site for green turtle nesting in American Samoa. There are also a number of maritime heritage resources at Muliāva.

The Muliāva area includes 13,507.8 square miles of marine waters of the Rose Atoll Marine National Monument and the

submerged volcanic cone known as the Vailulu'u Seamount that has a diverse biological community that includes polychaetes, ctenoids, octocorals, sponges, and cutthroat eels. Scientists speculate that the volcanic cone within the crater of the seamount will breach the sea surface within decades, forming a new island.

Rose Atoll Marine National Monument - was established in January 2009 by Presidential Proclamation 8337 (74 FR 1577). In accordance with Presidential Proclamation 8337, NOAA National Marine Fisheries Service, in consultation with the Western Pacific Regional Fisheries Management Council, developed fishing regulations that went into effect on June 3, 2013. Please see 50 CFR Part 665 for complete details (78 FR 32996).

Fishing-Related Information and Prohibitions for the Rose Atoll Marine National Monument / Management Area

All commercial fishing is prohibited within the monument.

All fishing is prohibited within 12 nautical miles of emergent land (Rose Atoll) within the monument.

Non-commercial fishing outside 12 nm is prohibited unless authorized by a **permit**.

- Including, but not limited to, sustenance, traditional indigenous and recreational fishing.

A vessel cannot engage in commercial fishing outside the monument and non-commercial fishing within the monument on the same trip.

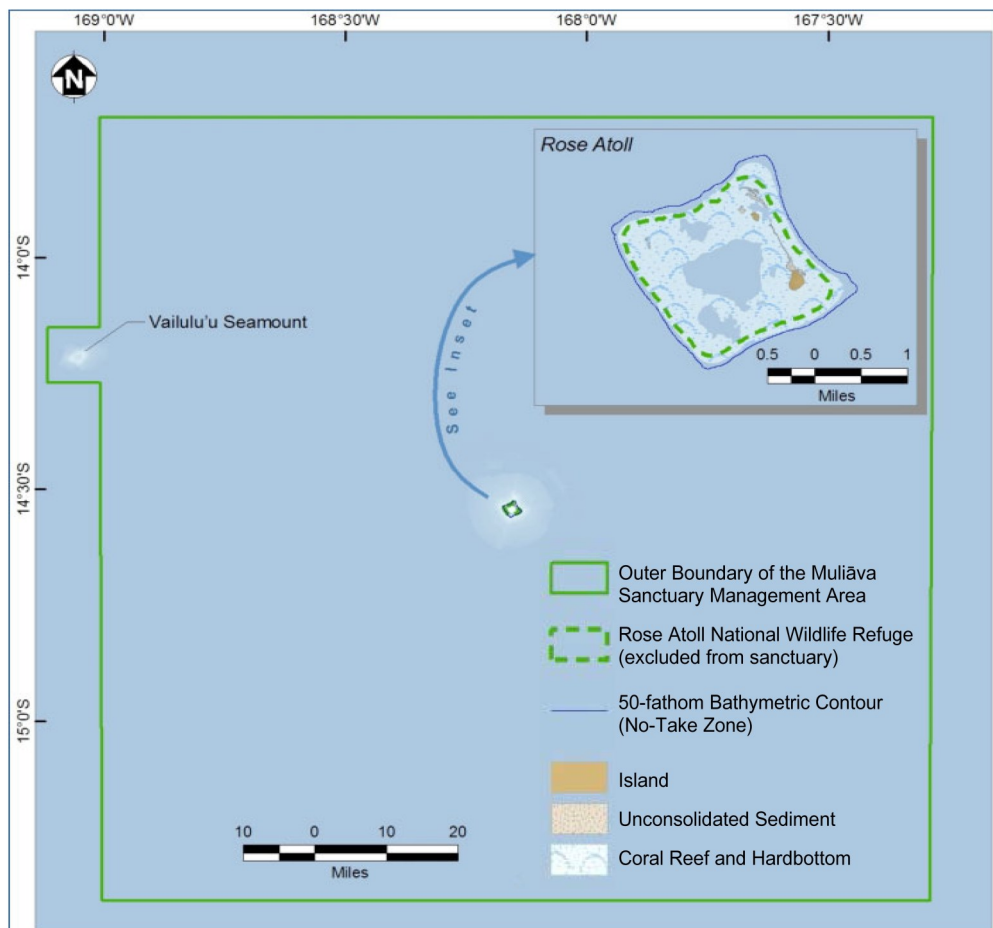


Photo Credit: Catlin Seaview Survey

§ 922.103: Prohibited or otherwise regulated activities—Sanctuary-wide:

a) The following activities are prohibited and thus are unlawful for any person to conduct or to cause to be conducted within the Sanctuary:

	Fagatele Bay (No-Take-Area)	Aunu'u Zone A Multipurpose Area (west and south sides)	Aunu'u Zone B Research Area (east side)	Fagalu'a Fogama'a	Ta'u	Swains Island	Muliāva (No-Take-Area out to 12 miles from Rose Atoll)
(1) Introducing or releasing introduced species from within or into the sanctuary.	X	X	X	X	X	X	X
(2) Anchoring a vessel.	X	X	X	X	X	X	X
(3) Deserting a vessel aground, adrift, or at anchor.	X	X	X	X	X	X	X
(4) Leaving harmful matter on an abandoned or deserted vessel or structure.	X	X	X	X	X	X	X
(5) Operating a vessel at a speed exceeding three knots when closer than 200 feet (60.96 meters) of another vessel displaying a dive flag.	X	X	X	X	X	X	X
(6) Operating a vessel in a manner which causes the vessel to strike or otherwise cause damage to Sanctuary re-	X	X	X	X	X	X	X
(7) Diving, snorkeling, or conducting diving or snorkeling operations from a applicable U.S. Coast Guard navigation rules governing the display of lights and signals, and not flying in a conspicuous manner the international code flag alpha "A" or the standard red-and-white U.S. "diver down" flag.	X	X	X	X	X	X	X
(8) Discharging, or depositing from within or into the Sanctuary, any material or other matter, except clean vessel deck wash down, clean vessel engine cooling water, clean vessel generator cooling water, clean bilge water, anchor wash, or vessel engine or generator exhaust.	X	X	X	X	X	X	X
(9) Discharging or depositing from beyond the boundary of the Sanctuary any material or other matter that subsequently enters the Sanctuary and injures a Sanctuary resource or quality, except those listed in paragraph (a)(8) of	X	X	X	X	X	X	X
(10) Sand mining, dredging, filling, dynamiting, or otherwise disturbing or altering the seabed.	X	X	X	X	X	X	X
(11) Removing, damaging, or tampering with any historical or cultural resource.	X	X	X	X	X	X	X
(12) Taking any marine mammal, sea turtle, or seabird within or above the Sanctuary, except as authorized by the Marine Mammal Protection Act, as amended, (MMPA), 16 U.S.C. 1361 et seq., Endangered Species Act, as amended, (ESA), 16 U.S.C. 1531 et seq., Migratory Bird Treaty Act, as amended, (MBTA), 16 U.S.C. 703 et seq., or any regulation, as amended, promulgated under the MMPA, ESA, or MBTA.	X	X	X	X	X	X	X
(13) Using or discharging explosives or weapons of any description. Distress signaling devices, necessary and proper for safe vessel operation, and knives generally used by fishermen and swimmers shall not be considered weapons for purposes of this section.	X	X	X	X	X	X	X
(14) Marking, defacing, or damaging in any way, or displacing or removing or tampering with any signs, notices, or placards, whether temporary or permanent, or with any monuments, stakes, posts, or other boundary markers related to the Sanctuary.	X	X	X	X	X	X	X
(15) Abandoning a structure, material, or other matter on or in the submerged lands of the Sanctuary. (b) The prohibitions in paragraphs (a)(1) through (15) of this section, § 922.104, and § 922.105 do not apply to any activity necessary for national defense. (c) The prohibitions in paragraphs (a)(2) through (15) of this section, § 922.104, and § 922.105 do not apply to any activity necessary to respond to an emergency threatening life, property, or the environment. (d) The prohibitions in paragraphs (a)(2) through (15) of this section, § 922.104, and § 922.105 do not apply to any activity necessary for valid law enforcement purposes in the Sanctuary. (e) The prohibitions in paragraphs (a)(2) through (15) of this section, § 922.104, and § 922.105 do not apply to any activity conducted under and in accordance with the scope, purpose, terms, and conditions of a National Marine Sanctuary permit issued pursuant to 15 CFR 922.48 and 922.107.	X	X	X	X	X	X	X

For more information please contact:

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NATIONAL MARINE SANCTUARY SYSTEM

Olympic Coast
Greater Farallones
Cordell Bank
Monterey Bay
Papahānaumokuākea
Hawaiian Islands Humpback Whale
Channel Islands
American Samoa (U.S.)



Thunder Bay
Stellwagen Bank
Monitor
Gray's Reef
Florida Keys
Flower Garden Banks